

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

FOOTPRINT POWER SALEM HARBOR
DEVELOPMENT LP, *et al.*,¹

Debtors.

Chapter 11

Case No. 22-10239 (MFW)

(Joint Administration Requested)

**NOTICE OF (I) FILING OF BANKRUPTCY PETITIONS AND RELATED
DOCUMENTS AND (II) AGENDA FOR HEARING ON FIRST DAY PLEADINGS
SCHEDULED FOR MARCH 25, 2022 AT 10:30 A.M. (ET), BEFORE
THE HONORABLE MARY F. WALRATH AT THE UNITED STATES
BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE²**

ZOOM INSTRUCTIONS:

This hearing will be conducted entirely over Zoom and requires all participants to register in advance. COURTCALL WILL NOT BE USED FOR THIS HEARING.

Please use the following link to register for this hearing:

https://debuscourts.zoomgov.com/meeting/register/vJItf-CvpzkuHeaiI2Ne-ICn1iDtAi_3FSM

After registering your appearance by Zoom, you will receive a confirmation email containing information about joining the hearing.

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are as follows: Footprint Power Salem Harbor Development LP (1360); Highstar Footprint Holdings GP, LLC (2253); Highstar Footprint Power Holdings L.P. (9509); Footprint Power Salem Harbor FinCo GP, LLC (N/A); Footprint Power Salem Harbor FinCo, LP (9219); and Footprint Power SH DevCo GP LLC (9008). The location of the Debtors' service address is: c/o Tateswood Energy Company, LLC, 480 Wildwood Forest Drive, Suite 475, Spring, Texas 77380. The Debtors have used the words "Footprint Power" and its associated logo in their names pursuant to a license (the "License") granted by the trademark owner Footprint Power Holdings, LLC (the "Trademark Lessor"). The License was terminated in accordance with the governing License agreement shortly before the commencement of these chapter 11 cases. Accordingly, to avoid and/or mitigate any alleged claims the Trademark Lessor may assert against the estates, the Debtors will no longer be utilizing the "Footprint" logo and, as part of their "first-day" motions, are seeking authorization to change the respective Debtors' names that will be utilized in connection with these chapter 11 cases.

² All motions and other pleadings referenced herein are available free of charge by visiting the Debtors' case website at <https://cases.primeclerk.com/Salemharbor> or by request to Debtors' proposed counsel (Troy Bollman, paralegal, at tbollman@ycst.com).

PLEASE TAKE NOTICE that, on March 23, 2022, Footprint Power Salem Harbor Development LP and its debtor affiliates in the above-captioned chapter 11 cases, as debtors and debtors in possession (collectively, the “Debtors”), filed the following voluntary petitions (collectively, the “Petitions”) for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101-1532 (the “Bankruptcy Code”), and related pleadings with the Clerk of the United States Bankruptcy Court for the District of Delaware. The Debtors continue to operate their businesses as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

PETITIONS AND RELATED PLEADINGS

1. **Voluntary Petitions**

- A. Footprint Power Salem Harbor Development LP [Case No. [22-10239](#)]
- B. Footprint Power SH DevCo GP LLC [Case No. [22-10240](#)]
- C. Footprint Power Salem Harbor FinCo, LP [Case No. [22-10241](#)]
- D. Highstar Footprint Holdings GP, LLC [Case No. [22-10242](#)]
- E. Highstar Footprint Power Holdings L.P. [Case No. [22-10243](#)]
- F. Footprint Power Salem Harbor FinCo GP, LLC [Case No. [22-10244](#)]

2. Declaration of John R. Castellano in Support of Chapter 11 Petitions and First Day Pleadings [[Docket No. 9](#); 3/24/22]³

PLEASE TAKE FURTHER NOTICE that a hearing with respect to the following first day pleadings (collectively, the “First Day Pleadings”), to the extent set forth below, is scheduled for **March 25, 2022 at 10:30 a.m. (ET)** (the “First Day Hearing”) before The Honorable Mary F. Walrath, United States Bankruptcy Judge for the District of Delaware.

FIRST DAY PLEADINGS GOING FORWARD

3. Debtors’ Motion for an Order (A) Authorizing the Joint Administration of Related Chapter 11 Cases, (B) Authorizing the Debtors’ Name Changes and Corresponding Case Caption, and (C) Granting Related Relief [[Docket No. 2](#); 3/23/22]

Status: This matter will be going forward.

4. Debtors’ Motion for Entry of Interim and Final Orders (A) Authorizing (I) Continued Use of Cash Management System, (II) Maintenance of Bank Accounts and Business Forms, (III) Performance of Intercompany Transactions, and (IV) Certain Prepetition Obligations to be Honored; (B) Granting Administrative Expense Priority Status to Postpetition Intercompany Claims; (C) Waiving Strict Compliance with 11 U.S.C. § 345(b) and Certain Operating Guidelines, as Applicable; and (D) Granting Related Relief [[Docket No. 3](#); 3/23/22]

Status: This matter will be going forward on an interim basis.

³ The physical location of this declarant is Chicago, Illinois.

5. Debtors' Application for Entry of Order Appointing Prime Clerk LLC as Claims and Noticing Agent [[Docket No. 4](#); 3/23/22]

Status: This matter will be going forward.

6. Debtors' Motion for Entry of an Order (A) Authorizing the Debtors to File a Consolidated (I) Creditor Matrix and (II) Top 30 Creditors List; and (B) Granting Related Relief [[Docket No. 5](#); 3/23/22]

Status: This matter will be going forward.

7. Debtors' Motion for Entry of Interim and Final Orders (A) Authorizing Payment of Certain Prepetition Taxes and Fees and (B) Granting Related Relief [[Docket No. 6](#); 3/23/22]

Status: This matter will be going forward on an interim basis.

8. Debtors' Motion for Entry of Interim and Final Orders (A) Prohibiting Utility Companies from Discontinuing, Altering, or Refusing Service, (B) Deeming Utility Companies to Have Adequate Assurance of Future Payment, (C) Establishing Procedures for Resolving Requests for Additional Assurance, and (D) Granting Related Relief [[Docket No. 7](#); 3/23/22]

Status: This matter will be going forward on an interim basis.

9. Debtors' Motion for Entry of Interim and Final Orders (A) Authorizing the Debtors to Use Cash Collateral, (B) Granting Adequate Protection, (C) Modifying the Automatic Stay, and (D) Granting Related Relief [[Docket No. 8](#); 3/24/22]

Status: This matter will be going forward on an interim basis.

PLEASE TAKE FURTHER NOTICE that parties who wish to participate in the First Day Hearing may do so by registering their appearance through Zoom at the following link: https://debuscourts.zoomgov.com/meeting/register/vJItf-CvpzkuHeaiI2Ne-ICn1iDtAi_3FSM.

After registering your appearance by Zoom, you will receive email confirmation containing information about joining the hearing.

PLEASE TAKE FURTHER NOTICE that objections, if any, to the First Day Pleadings may be made at the First Day Hearing.

[Signature Page Follows]

Dated: March 24, 2022
Wilmington, Delaware

Respectfully submitted,

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Andrew L. Magaziner

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